

# United States Senate

WASHINGTON, DC 20510

April 8, 2011

The Honorable Steven Chu  
Secretary  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Secretary Chu:

As you know, I have fought for many years to ensure that the Department of Energy's (DOE) Portsmouth Gaseous Diffusion Plant (PORTS) has the resources it needs to expedite the site cleanup so the community and its workers can build a new future in Southern Ohio. While I have appreciated DOE's efforts at PORTS, I am outraged to hear that more than 60 employees – many lifelong residents of Pike County who have spent their professional lives at PORTS – will miss out on two weeks' vacation and health insurance because of what appears to be an accounting gimmick. Some workers were told they were one minute short to qualify for certain benefits. One minute.

I understand that some employees, who used to work for USEC and later hired by Fluor, will not be eligible for vacation and other earned benefits based on length of employment. These employees were hired by USEC on March 29, 2010. Almost exactly one year later, at 11:59 p.m. on March 28, 2011, these workers were transferred and were no longer considered USEC employees, and therefore, deemed ineligible for benefits based on a full year of work. The employees who were transferred to Fluor have no insurance as of today even though they became Fluor employees on March 29<sup>th</sup> of this year. These workers were transferred to a new contractor ready to start the important work of clean-up, removing decades of nuclear waste, and rebuilding the site. Yet, they still do not have a benefit plan despite assurances from the Department and the contractors that there would be a seamless transition of benefits for workers.

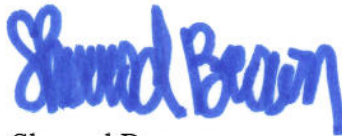
I would like to understand how a worker is denied benefits and vacation because of one minute. DOE, USEC, and Fluor have each played an important role in the clean-up and each is partly responsible for resolving this issue. Perhaps one solution would be to extend the length of the transition until all the parties can effect a truly seamless transition.

Vacations and health benefits are not perks or excessive benefits. They are the result of foregone pay and are earned through hard work. They are the incentives that make for a better cleanup,

better working environment, and a better community. Honoring these rights of workers and their earned benefits is a matter of fundamental fairness.

Multi-billion dollar nuclear cleanup contracts are complicated, but the proper result here is simple. That is why we need your leadership in helping to ensure these workers are not short-changed. I look forward to working with you to resolve this issue immediately.

Sincerely,

A handwritten signature in blue ink that reads "Sherrod Brown". The signature is written in a cursive, flowing style with a large initial "S".

Sherrod Brown  
United States Senator